

Probate Notes for August 12, 2014

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

Please note: The following probate matters will be heard in **Department Two at 9:00 a.m.**

CASE: Estate of Boyer
Case No. CV PB 13-131

The Court notes the following deficiencies:

1. Petitioner Melody Boyer fails to state whether notice was given or was required to the Victim's Compensation and Government Claims Board. (Prob. Code, § 9202, subd. (b).)
2. The Franchise Tax Board was not provided notice of the administration of the estate as required. (Prob. Code, § 9202, subd. (c)).
3. Petitioner fails to provide a schedule showing an itemized list of property on hand, describing each item at its carry value. (Prob. Code, § 1062, subd. (f).)

CASE: Estate of Hollingshead
Case No. CV PB 13-117

The Court notes the following deficiencies:

1. Petitioner David Stanley fails to state whether notice was given or was required under Probate Code section 9201.
2. The Franchise Tax Board was not provided notice of the administration of the estate as required. (Prob. Code, § 9202, subd. (c)). To the extent the petitioner states that notice is not required, he fails to provide any legal authority to support the assertion. (Petition, ¶ 4.)
3. Item 5 of the inventory and appraisal is incomplete. (Prob. Code, §§ 8800, subd. (d))
4. Petitioner fails to provide a proper accounting as required. (Prob. Code, §§ 10900, 1060 et seq.) The petition filed with the Court includes Schedules A-E, but no actual account.
5. The petition fails to state the date each creditor's claim was filed and what action was taken on each claim. (Prob. Code, §§ 9250, 10900, subd. (b)(2).) Specifically, the petition fails to address the creditor's claim filed on September 23, 2013, by Bank of America.

CASE: Estate of King
Case No. CV P2 14-111

It is recommended to grant the spousal property petition. (Prob. Code, § 13650 et seq.)

CASE: Estate of Klein
Case No. CV PB 14-112

The Court notes the following deficiencies:

1. Proof of publication has not been filed with the Court. (Prob. Code, § 8120 et seq.)
2. Proof that the notice of hearing has been served on the required parties has not been filed with the Court. (Prob. Code, § 8110.)